

SHORT FATAWAS

GENERAL

SHAYKH ABU BARA'A AS-SAYF



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Regarding the hadith, "A group of people from my Ummah will continue to fight in Allah's cause.."

Does this hadith refer the people of knowledge and hadith, as some students of knowledge interpret it or are they the mujahideen in the path of Allah?

Answer:

وعليكم السلام ورحمة الله وبركاته

The hadith of the Taifah al-mansurah/Victorious sect has many narrations, some of which indicate that the Taifah al-mansurah are the people of knowledge, proclaiming the truth, firm upon it, and there are also narrations which indicate that from them are the people of jihad and battles.

From the narrations which indicate that they are people of knowledge, and they are the people of the hadith and people of the Sunnah, who adhere firmly to the way of the Prophet ﷺ and his companions, are the narration which were reported in the two Sahih books (Bukhari and Muslim), from the hadith of Muawiyah Ibn Abi Sufyan رضي الله عنهما - he was on the minbar, saying - "I heard the Messenger ﷺ say, *"Whosoever Allah wishes good for, He bestows upon him understanding of the Deen and verily i am Qasim (distributor) and Allah gives (meaning I distribute the knowledge and Allah gives success and guidance) and a group of my Ummah will continue to prevail on the basis of the truth, they will remain in this position until Allah's Command is executed (i.e. Qiyamah is established),(or as the Prophet ﷺ said."*

So, the point of evidence here is; (*"Whosoever Allah wishes good for, He bestows upon him understanding of the Deen"*). Here, he mentioned the understanding of the Deen and knowledge, and then after that said, *"..And a group of my Ummah will continue to prevail on the basis of the truth"*. From here, it has become known that the group that will continue to prevail on the basis of the truth is the group of (people of) knowledge and scholars, proclaiming the truth, firmly holding onto it, speaking the truth, defending it, and adhering to it...

There are also other narrations, which indicate that a part from that group are the people of j1had and battles, and this is what was narrated in Sahih Muslim, where the Prophet ﷺ said, (*"A group of people from my Ummah will continue to fight in obedience to the Command of Allah, remaining dominant over their enemies. Those who will oppose them shall not do them any harm. They will remain in this condition until the Hour overtakes them."*), and in another narration: (*"There will always be a group among my Ummah who will fight for the truth, for whom Allah will cause some people to deviate, and grant them provision from them, until the Hour begins and until the promise of Allah comes."*), and in another narration: (*"A section of my community will continue to fight for the right and overcome their opponents till the last of them fights with the Antichrist/dajjal."*)

Here, there is proof that the group on the haqq (truth) and the saved victorious sect are the people of j1had in the way of Allah and qital/fighting.

Therefore, the victorious sect are the group of (people of) knowledge and the group of j1had. The people of j1had are mujahideen (fighting) in the way of Allah to implement the Law of Allah عز وجل on earth, and to fight the disbelievers, the mushrikeen and the murtaddeen (apostates), all of them, until there is no fitnah and [until] worship is [acknowledged to be] only for Allah.

And the group of scholars proclaiming the truth, firmly adhering to it, who do not fear for the sake of Allah, the blame of the blamers, who adhere to [the truth] in the face of the kuffar, the mushrikeen, the munafiqeen, the tawagheet, the murtaddeen and their likes.

Hence, all of them are one group, some of them scholars and some mujahideen, and this is what is understood from all the combined narrations.

والله أعلم

Shaykh Abu Bara'a as-Sayf

[Translated transcript]

Fatwa:

Question:

السلام عليكم

What the ruling on giving information about another Muslim to the kuffar whilst being in prison?

Please reply with evidence.

Answer:

The asl/original (ruling) is that it is impermissible for a Muslim to commit anything which would harm or transgress against another Muslim even if he is under ikrah. The scholars have stated that if one is forced and under ikrah to kill another, it is not permissible for him to do that, because it is not allowed for him to spare and save himself at the expense of another Muslim soul, because the sanctity of himself and another Muslim in Islam are equal. So if the kuffar force a Muslim to kill another Muslim, he is not allowed to obey them with the excuse of being under ikrah, because the sanctity (of the soul) of both Muslims is equal in Islam.

So it is not permissible for him to save his soul at the expense of killing another Muslim soul, because their sanctity is equal, but if he is under ikrah, he may give false information.

Ikrah permits an act or statement of kufr, while his heart is firm with Iman, due to the statement of Allah: *{Whoever disbelieves in Allāh after his belief, except for one who is forced [to renounce his religion] while his heart is secure in faith. But those who [willingly] open their breasts to disbelief, upon them is wrath from Allāh, and for them is a great punishment.}* [Nahl:106- 107]. This is for an act or statement of kufr while under ikrah, but ikrah does not allow transgression of another soul, because his statement of giving information about a Muslim will lead to that particular individuals arrest or to his killing.

However, if the one who was under ikrah, and faced severe torture, thus gave

information about a Muslim to a kafir, this ikrah repels from him the ruling of kufr (i.e. takfeer), but does not remove the sin of giving information of a Muslim to a kafir, or the sin of his transgression against him. The Messenger of Allah (ﷺ) said, *"A Muslim is a brother of (another) Muslim, he neither wrongs him nor does hand him over to one who does him wrong."* (Sahih muslim)

The giving of information is a betrayal to the Muslim and because of this betrayal, the Muslim was imprisoned, as though he handed the Muslim over to the kuffar, but we don't make takfeer of him because he was under ikrah, and ikrah repels the ruling of takfeer, but he has fallen into transgression against another Muslim and a forbidden act by giving this information, and Allah says: *{but do not cooperate in sin and aggression.}*, and his giving information of the Muslim to the kuffar is a sin and transgression.

Whoever does this while he is not under ikrah,(even if he is in prison), eating and drinking without being harmed or tortured, without meeting the conditions of ikrah, he is a kafir, because the conditions of prisons vary, and whoever commits such an act has fallen into kufr from the door/perspective of aiding the kuffar because Allah says, *{but do not cooperate in sin and aggression.}*

And Allah says; *{O you who have believed, do not take the Jews and the Christians as allies. They are [in fact] allies of one another. And whoever is an ally to them among you - then indeed, he is [one] of them. Indeed, Allāh guides not the wrongdoing people.}*

Alliance carries the meaning of aid help, support, love, closeness etc

Aiding the kuffar in their war against the Muslims is kufr by the texts of Quran, the Sunnah and ijma. Allah says; *{Let not believers take disbelievers as allies [i.e., supporters or protectors] rather than believers. And whoever [of you] does that has nothing [i.e., no association] with Allāh, except when taking precaution against them in prudence. And Allāh warns you of Himself, and to Allāh is the [final] destination.}*

At-Tabari said in the tafseer of this Ayah, *"has nothing [i.e., no association] with Allāh"*, then he is free/has nothing to do with Allah and Allah is free from him, due to his apostasy from the Deen of Allah and His entry into kufr".

والله أعلم

[Translated transcript]

Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

If one makes a decision to sincerely repent and change her life around for the sake of Allah, does she need to make up all her past prayers, and does she have to make up her fasts even if she does not know how much she has missed? If so, how would this be possible and is there a hadith or something stating so?

Answer:

وعليكم السلام ورحمة الله وبركاته

The one who didn't used to pray nor fast, and wants to repent, then he doesn't owe nor repeat anything of the past. Why? Because he was in fact a disbeliever/kafir (according to the most correct view), as the Prophet ﷺ said in Sahih muslim: *"Verily between man and between Shirk and kufr is the negligence of prayer."*

And Ishaq ibn Rahaway, as Imam Muhammad bin masr al mirwazziy reported from him in 'Qadr salah', after Ishaq ibn Rahaway mentioned this hadith, he said, and he was in the time of Imam Ahmad, *"..and this was the matter (agreed upon among the scholars), from the time of the Prophet Muhammad ﷺ to our time today, that whoever abandoned one fardh Salah intentionally, until its time has passed is a kafir."* So since the time of the Prophet until the time of Ishāq ibn Rahawayy, all the scholars viewed that the one who abandons a fardh salah on purpose, is a kafir.

Likewise, Imam at-Tirmidhi reported an ijma'/consensus in his sunan, through abdillah ibn shaqiq al uqayl, tabi'i, who met the Sahabah, who said that the Companions of the Prophet ﷺ didn't view the abandonment of a matter (ordain) as kufr, except salah. So they differed in other matters/ordains, but all the Sahabah were in agreement that the abandonment of Salah is kufr.

Furthermore, it has been reported in Mawatta Malik with a sound chain of narration, that when Umar bin Khattab was stabbed, and his wound was pouring blood, he said, *"There is no share of Islam for the one who abandons salah";* meaning, the one who abandons the Salah is not a Muslim.

At- Tirmidhi also reported with a sound narration that the Prophet ﷺ said, *"The covenant between us and them is prayer, so if anyone abandons it he has become a disbeliever."*

All these evidences prove that the one who abandons Salah on purpose until its time has passed, is a kafir.

So if this person who used to neither pray nor fast etc., and intends to repent, then he in reality needs to enter Islam again. Thus, he must testify to the shahadatayn/two testimonies and begin to pray Salah and fast etc., and there is nothing on him of qadha/expiation of the past missed prayers because he was upon kufr. And it has been reported in Sahih Muslim that the Prophet said to 'Umru bin al- 'Aas, *"Do you not know that (embracing) Islam wipes out all that has gone before it (previous misdeeds)."*

Meaning, if a person intends to enter Islam, all his past sins are wiped away. Rather they are turned into hasanāt/good deeds, as Allah said in Surah Furqan: *{And those who do not invoke with Allāh another deity or kill the soul which Allāh has forbidden [to be killed], except by right, and do not commit unlawful sexual intercourse. And whoever should do that will meet a penalty. Multiplied for him is the punishment on the Day of Resurrection, and he will abide therein humiliated. As for those who repent, believe, and do good deeds, they are the ones whose evil deeds Allah will change into good deeds. For Allah is All-Forgiving, Most Merciful.}*

So Allah Azza Wa Jal explains that if a mushrik embraces Islam, and his Islam is good, and he performs good deeds, Allah عز وجل will change his bad deeds, which he did when he was a mushrik, into good deeds. So this has evidence that entering into Islam wipes away that which happened of sins before.

So the one who didn't used to pray was a kafir, and he must enter Islam again

and there is nothing upon him to make up for the past deeds. He must now testify to the Shahadatayn and begin to pray.

"والله أعلى وأعلم"

[Translated transcript]

Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم

What is the ruling of submitting an application for nationality, or obtaining an identity card or residential permit of a country?

Answer:

وعليكم السلام ورحمة الله وبركاته

In a previous response to a similar question I said:

According to my knowledge, there is a difference between a person taking a nationality from the original country he is from, as this does not involve clear and explicit kufr. So, the mere signature or fingerprint on a document which contains conditions of kufr - if present- is not explicit kufr, but rather is an action of possible meanings/signs, and is not considered kufr except in the case when one openly and clearly displays his approval of kufr, or in the case where he knows that by signing the document, they will (i.e. those in authority of the document), will inevitably require of him to commit the action of kufr (documented).

And between going to a foreign country and submitting an application for naturalization/nationality. This is where the one who is requesting for citizenship is obliged to be involved in matters of kufr, have commitment to the laws of the country and not violate them, give loyalty to the kufri constitution of that country in reverence and respect, and not to violate their laws and to defend them if he is requested to do so. Thereafter, the one who submitted the request for the nationality, swears an oath, and if he swears or signs this, they will oblige him to abide by it, because of his signature for this action of kufr, and most likely, he will not be able to avoid this nor escape from

this. In this case, the request for a nationality is explicit kufr. Furthermore, the following is an explanation regarding the mas'alah of providing a signature on a document or a contract which contain kufri/blasphemous conditions:

A clear agreement with a clear statement- such as saying "I agree", or with by clearly writing "I agree" , for that which is kufr, falls under kufr in Allah and apostasy from the religion of Islam.

As the principle of Fiqh is, ('Documenting/writing is the same as speech').

As for displaying that which has other possible indications for the kuffar, like if one was to put a scribbled signature without clear writing, or to give fingerprint on a document which contains conditions of kufr, then this is of two categories, depending on the one who provided the signature or the fingerprint:

1- That he does so with the intention of agreement to these conditions and to abide by them, then he is a disbeliever.

2- That he does so without the intention of agreement or approval of these conditions, and he does not intend to abide by them, but rather he is doing this to deceive and trick them, then this falls under two (further) categories:

a) That the kuffar are capable and have the authority to make him abide by what he signed or provided his fingerprint for, in the document which contained the kufri/blasphemous conditions, and because of his signature or fingerprint, they would cause him to commit the actions of kufr which they stipulated. In this case, it is not permissible to sign such conditions. If he knows that due to his signature or providing a fingerprint on a document which contain such blasphemous/kufri conditions, they would cause him to commit to them with actions of kufr and he is unable to flee from them, yet he provides the fingerprint or signature, then he is a kafir.

b) That the kuffar are not able to make him commit to and abide by that which is kufr or forbidden for that which he put his signature or fingerprint on, then in this case, it is permissible for him to do so with

the intention that he does not agree with anything which contradicts the Shari'ah. This case is exactly like that of agreeing to the terms of the privacy policy in Windows, Facebook, Telegram, WhatsApp, Twitter and other such applications.

However, if the one who will sign that is in the prison of the taghut, and they will not allow him to leave except that he must sign or provide the fingerprint for that which is kufr, then he may do so while his heart is at rest with Iman, because he is under the limits of ikrah due to the prison, which is from ikrah mulji' for which one may commit kufr, as (Imam) Ash-Shafi'i (may Allah have mercy on him) mentioned in (al-Umm)

والله أعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is it permissible to obtain/apply for a nationality of a foreign country if they don't oblige me to take an oath?

Answer:

وعليكم السلام ورحمة الله وبركاته

This is a matter which requires knowledge of the reality of the matter before a ruling can be given, and what is requested of him while taking this nationality from the specific country. If they request actions/statements of kufr from him, like an oath of allegiance or agreement to abide by its laws, and an oath not to act against their laws in any way, then this is clear and explicit kufr, because it is an oath of commitment to kufr, and a promise to abide by it.

However, if there is nothing of this sort involved when taking this nationality, like an action of kufr or a forbidden act, then taking a nationality when in need, by which he is able to fulfil his affairs is permissible, and just obtaining a nationality in itself does not necessitate allegiance or alliance or support for the kuffar. It all depends on the specific state/country.

Hence, we are not able to give a specific ruling here, as this depends on the country and how a nationality is obtained there, and depends on what is requested from the person, because it may involve actions or statements of kufr. If he is requested to commit anything of kufr or forbidden actions, then it is not permissible for him to obtain this nationality.

والله أعلى وأعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

[Translated transcript]

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

I am a mother with children, and my neighbours live very close to me, and they do not fear Allah and are involved in sihr/magic and other such matters. They become annoyed with my children at times, but I am not able to distant my children from them and I fear for them. After putting my trust in Allah, how shall I protect my children and my house from their magic, if they intend to harm me?

Answer:

وعليكم السلام ورحمة الله وبركاته

Increase the recitation of Surah al- Baqarah in your house, for indeed the Shaytān/devil runs away from the house in which Surah al- Baqarah is recited, and the people of falsehood cannot overpower it and they are the magicians.

It has been reported in Sahih Muslim, he said Al-Hassan bin 'Ali al-Hulwāni told me, that Abu Tawbah narrated to us- and he is Rabi' bin Nāfi'- that Mu'āwiyya narrated to us, meaning ibn Salām- on the authority of Zayd, that he heard Aba Salam say, that Abu Amāmah al-Bāhili said, I heard the Messenger (ﷺ) say: "*Recite the Qur'an, for on the Day of Resurrection it will come as an intercessor for those who recite It. Recite the two bright ones, al-Baqara and Surah Al 'Imran, for on the Day of Resurrection they will come as two clouds or two shades, or two flocks of birds in ranks, pleading for those who recite them. Recite Surah al-Baqara, for to take recourse to it is a blessing and to give it up is a cause of grief, and the magicians cannot confront it.*" (Mu'awiya said: It has been conveyed to me that here Batala means magicians.) [End]

And seek refuge for your children daily how the Prophet used to do for Hassan and Husayn, by saying: (*"U'ithu bi-kalimātilahit-tāmati min kulli shaytānin wa hāmma wa min kulli 'aynin-lāmmah"*)

(I seek protection for you in the Perfect Words of Allah from every devil and every beast, and from every envious blameworthy eye.)

It has been narrated in Sahih al-Bukhari, he said, 'Uthmān ibn Abi Sahyba narrated to us, that Jareer narrated to us on the authority of Masur, on the authority of Minhāl, on the authority of Sa'eed bin Jubayr, on the authority of ibn 'Abbās (may Allah be pleased with them) who said: *"The Prophet (ﷺ) used to seek Refuge with Allah for Al-Hasan and Al-Husain and say: "Your forefather (i.e. Abraham) used to seek Refuge with Allah for Ishmael and Isaac by reciting the following: 'O Allah! I seek Refuge with Your Perfect Words from every devil and from poisonous pests and from every evil, harmful, envious eye.'"*

And always entrust them to Allah, for indeed if Allah is entrusted with something, He protects it."

والله أعلى وأعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Shaykh, you stated "There are two conditions for a person to enter the state of being a mukallaf is to be mature and sane. What about the condition of being a Muslim?"

Answer:

وعليكم السلام ورحمة الله وبركاته

As for the conditions of takleef (i.e. being charged with Islamic duties), it is aql/to be sane, and buloogh/to reach age of puberty.

However some of the fuqaha/jurists made an additional condition of being a Muslim to some specific rulings relating to matters of furu'/matters other than usool (or other than aqeeda/additional commands which are not indicated by the Shahadatān), matters like Salah , Zakah, fasting. They stipulate that the mukallaf/the one charged with these duties must also be a Muslim, but this is a matter in which the scholars have differed.

Is a kafir charged with the rulings of furu' in shariah, meaning for that which is other than tawheed, (or dawah of tawheed), or is he charged with them after he embraces Islam?

The scholars who say that the conditions of being a mukallaf is to be sane and baligh, they view that every sane baligh person is charged with all the duties of Shar'iah, whether they are Muslims or kuffar, with all the ahkām/rulings of usool and furu of Shar'iah; tawhweed and fiqh.

As for those who view that the kuffar are not considered mukallafeen of furu' of Shariah until they embrace Islam, meaning, the kuffar are not charged with Salah, or Zakah, or Hajj or being dutiful to parents until

they enter Islam, and they stipulate the condition for the mukallaf to be a Muslim for commands other than tawheed, because they view the kuffar are not addressed with commands of furu'.

However, the most correct view is that a kafir is charged and is addressed with the rulings of furu', but if he does any of them while he is in a state of kufr, they are not accepted from him because Allah says, *{Indeed Allah only accepts from the righteous}*, and a kafir is not from the righteous. So then it is said, what is the benefit of him being addressed in a state of kufr while it wouldn't be accepted? The scholars say, if he performed the actions while he was in the state of kufr, Allah will not punish him with Hellfire for the abandonment of it, even if he died as a kafir. So he would be in hellfire for his kufr, but the punishment for the abandonment of Salah or Zakah would not be added to it, because the fire has different types and degrees of punishments. But if he was a kafir and in addition to that he didn't pray nor fast, Allah عز وجل will increase the punishment due to their abandonment if it.

What is the evidence that a kafir is charged with commands of furu' of Shariah, or what is in addition to the Shahadatayn, as long as he was baligh and aqil?

The evidence is the statement of Allah regarding the people of Hellfire, when the people of Jannah will ask them: *{“What has landed you in Hell? They will reply, “We were not of those who prayed. Nor did we used to feed the poor. And we used to enter into vain discourse with those who engaged [in it]. And we used to deny the Day of Recompense.}*

This shows that their abandonment of Salah was also a factor for entering Hellfire, and Allah punished them for this even though they were disbelievers, as mentioned in the verse, *{And we used to deny the Day of Recompense}*, and this is clear and explicit kufr, while what is mentioned here, *{And we used to enter into vain discourse with those who engaged [in it]}*, is from the haram matters.

So the scholars have cited these verses as evidence that Allah will punish the kuffar, not only for their kufr, but in addition to that, they will be

punished for the abandonment of Salah and feeding the needy which are all part of furu' of Shar'iah. Hence, if he will be punished for it, this means he was charged with it while he was in the state of kufr. Had he not been charged Allah would not have punished him with Hellfire for these matters.

Therefore, the most correct opinion is that the conditions of the mukallaf is one who is sane and baligh, and kuffar are included in this.

والله أعلى وأعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

My question is regarding ibn Baz and ibn Uthaymeen..

There's a lot of evidence which shows their misguidance and kufr (they were involved in) and there are people who make takfeer of them, and I am one of them.

There are also those who don't make takfeer of them but disapproved of them, like our shaykh Usama bin Laden (تقبله الله) and Waleed as-Sanani (حفظه الله).

There are also those who don't make takfeer of them but rather are pleased with them.

What is your opinion of those who are pleased with them and what is their ruling?

Response:

وعليكم السلام ورحمة الله وبركاته

The one who does not make takfeer of them and are pleased and approve of the likes ibn Baz, ibn 'Uthaymeen and Albani are not all on the same level/category, so their ruling is not the same in Shar'ia.

1- There are those who are not aware of their conditions, of they having committed a nullifier. This is the case of the majority of the population who hear of praise and honour for these scholars in the media, so they are excused due to their thinking that these are scholars of the Muslims, and jahl al- hāl/ ignorance of the situation is their reason of being excused.

2- There are also those who are aware of their situation, but broaden the mas'ala of uthr bit- ta'weel/excuse of misinterpretation. They see that these scholars made ijtihād and were mistaken and are misguided regarding some matters, but they view this ta'weel is a mawāni/preventative of takfeer for them, while acknowledging that these scholars have fallen into misguidance and that the act is kufr. This is like some scholars and students of knowledge of Ahl-Sunnah.

3- There are those who see their misguidance as correct and a guidance to the truth!! They are in absolute agreement with them, and rebuke those who blame them and insult those who speak against them, like the Jāmiya and madkhali's.

So the ruling differs of each category, and is not the same:

The ones Allah has charged us with (according to what I believe), is to make takfeer upon those of the last category (3), who are in agreement with their misguidance and kufr like the permitting of elections, and they defend this falsehood on their behalf completely.

As for the second category, they made ijtihād and are mistaken due to broadening (the limits of) uthr bit-ta'weel/excuse of misinterpretation and error. But I do not make takfeer of them just because of this mistake because mistakes are forgiven for this ummah, especially those whom we know who strive to reach the haq/truth, and want it and aid it, and are of the people who have preceded in grace and knowledge and j1had."

والله أعلم

Shaykh Abu Bara'a as-Sayf حفظه الله

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

I have ambiguity in the mas'alah regarding scholars of the kings/government, like Ibn Uthaymeen and Ibn Baz. Is it permissible to read their books and to accept their fatawas.

Also, is it permissible to say "may Allah humiliate them" in reference to Ibn Baz and Ibn Uthaymeen, and likewise Albani, what is his condition, is it the same as theirs?

Is he really as Shaykh Abu Ali Al-Anbari said about him, that his aqeeda is like the aqeeda of the Jahmiyya, he differentiates between action and Iman.

Response:

وعليكم السلام ورحمة الله وبركاته

These people, even though they are a people of knowledge, have committed the nullifiers of Islam, like permitting elections or their allegiance for Āl- Sa'ūd, or they excuse the one who insults Allah and the Deen with ignorance and a poor upbringing, claiming they do not fall into kufr because of this.

With regards to knowledge, everyone is taken (knowledge) from and (parts) is rejected, except the Prophet عليه الصلاة والسلام.

So, whoever knows their points of deficiency and error, it is not permissible for him to follow and approve of them, especially in masāil of i'tiqad/aqeeda and Shar"i politics.

As for what is other than this, of masāil al-fiqh and principles and

foundations of fiqh etc., then it is better that only a well grounded student of knowledge takes from them as he is able to distinguish the good/truth from the bad/false, and not to take from them except in the case of necessity, like the one who eats the dead (meat), meaning, after he doesn't find these masāl of knowledge which are taken from them anywhere else - if they are in agreement with the truth and correct (teachings)- with scholars of Ahl Sunnah and tawheed and J1had..

Bearing in mind, be warned that some of them have clear deficiency and error in other subjects of knowledge, and are very far from the correct (teachings), like the manhaj /way of Albani in hadith and his leniency in authenticating many munkar/rejected hadiths, by using very false weak routes (of isnad) collectively, and with weak methods to strengthen hadiths with (similar meanings)!!

والله أعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

What is the ruling on working in a government institution such as an educational centre, hospital, Islamic centre or electricity department, etc.?

Answer:

وعليكم السلام ورحمة الله وبركاته

We said in a previous response that a muslim working as an employee for kuffār or tawagheet is of three categories:

- 1- Either the work is kufr
- 2- Or it is muharram/forbidden
- 3- Or it is permissible, or permissible but disliked.

1- The type of work which is kufr, is to be directly engaged in actions of kufr or to aid it, such as working for the taghut as soldiers, or a judge, or a lawyer, or an officer who enforces man-made laws, and compels the people to abide by it etc. All this type of work for the kuffar is kufr because it contains actions of kufr, either by committing the action of kufr or by directly aiding it.

2- Work which involves muharram/forbidden actions, or involves direct aid and support for it, which if the Muslim commits, he becomes a fasiq and sinful. This is work like collecting taxes from the people, because taking tax is forbidden by analogy of taking wealth by injustice, and it is not permissible to take the wealth from a Muslim except from his own accord and good will.

3- Work which is permissible, or according to some scholars, permissible but disliked. It is the type of work which doesn't involve kufr, nor forbidden acts, and there is no aiding of kufr or forbidden actions involved, like working in the health department as a doctor, or as a teacher teaching a permissible subject such as maths, or physics etc, or other such work which doesn't involve committing or aiding actions of kufr or forbidden actions.

This type of work which is permissible, or permissible while disliked is evidenced by the hadith in Sahih al-Bukhari, chapter [hiring], 'working as an employee for the kuffar in dar al- harb', and dar al-harb meaning dar al-kufr; he mentioned the hadith of khabab (may Allah be pleased with him), *"I was a blacksmith and did some work for Al-'As bin Wail. When he owed me some money for my work, I went to him to ask for that amount. He said, 'I will not pay you unless you disbelieve in Muhammad.'" I said, "By Allah! I will never do that till you die and be resurrected." He said, "Will I be dead and then resurrected after my death?" I said, "Yes." He said, "There I will have property and offspring and then I will pay you your due." Then Allah revealed. 'Have you seen him who disbelieved in Our signs, and yet says: I will be given property and offspring?'"*(19.77)

He was working as a blacksmith for 'As ibn wāil, who was a disbeliever, a taghut, and Khababs' wages had accumulated with him, and when he requested the payment, he was refused and told, "not until you disbelieve in Muhammad", and when Khabab denied that by saying ""By Allah! I will never do that till you die and be resurrected..", he responded, "I will give you then after we are resurrected", and this was of mockery of the deen of Allah and of the Sahabah, because the Quraysh denied the Resurrection after death. So Allah revealed the verses, *{Have you seen him who disbelieved in Our signs, and yet says: I will be given property and offspring?}* (19.77)

This is evidence that the Companion Khabbab worked a permissible type of work for 'As ibn wāil, who was one of the leaders of the taghut kuffar in Makkah.

From this hadith, the scholars concluded that it is permissible for a Muslim to work for a disbeliever or a mushrik in that which is permissible, but it is disliked. The reason it is disliked is because it involves a kafir being in authority

and power over a Muslim, and involves a portion of humiliation of the Muslim, but it is permissible because Khabbab worked at the time when divine revelation was being revealed and nothing was revealed warning against this work, or his taking the money from the kafir, and if the work was impermissible, then taking the wages which were due to him would also be impermissible, and the Prophet ﷺ didn't prohibit him from that.

Though it is disliked because it involves a kafir having authority over a Muslim, and Allah has made the kuffar disgraced and humiliated and has made the believers superior, as Allah Azza Wa Jal said, {and never will Allāh give the disbelievers over the believers a way [to overcome them].}

So before we can give a response to this question, we must first know the type of work it is, and what it involves, and the work must be described to us fully so we know its ruling, because the ruling depends on the type work, and the country, and even upon the department itself under which the work falls. However, generally speaking, according to the general principles, the type of work which doesn't involve actions of kufr or forbidden actions, and neither involves the aiding of kufr or forbidden acts, then the work in itself is permissible, like the work of khabab (may Allah be pleased with him), even if it is for the kuffar, although it is disliked. If it is permissible due to a need of work and earning, then it is surely permissible due to necessity. Therefore, we cannot give a ruling until we know the details of what is involved in this type of work for the kuffar.

والله أعلم

By Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

What is the ruling on delaying prayers and how should one make up prayers in the case he slept, and how must one arrange when making up the Salah?

Is it permissible to make up forgotten Salah's or the salahs lahs one forgot?

Response:

وعليكم السلام ورحمة الله وبركاته

Delaying prayers and praying them at the end of their time continuously without a legitimate excuse, is a major sin and one of the characteristics of hypocrites, as stated in the Qur'an and Sunnah.

Allah says, *{So woe to those who pray. Those who are heedless of their prayers.}* [Al-mā'ūn4-5]

And Allah says: *{But there came after them successors [i.e., later generations] who neglected prayer and pursued desires; so they are going to meet evil.}* [19:59]

It has also been reported in Sahih Muslim he said, (Yahya bin Ayub narrated to us, and Muhammad bin Sabbāh and Qutayba and Ibn Hujr, they said, Ismaeel bin Ja'far narrated to us, on the authority of 'Alā bin Abdul Rahman, that they came to the house of Anas bin Malik in Basra after saying the noon prayer. His (Anas') house was situated by the side of the mosque. As they revisited him he (Anas) said, Have you prayed the afternoon prayer? We said to him: It is just a few minutes before that we finished the noon prayer. He said: Offer the afternoon prayer. So we stood up and prayed our prayer. And when we

completed it, he said, *"I have heard the Messenger of Allah (ﷺ) saying: This is how the hypocrite prays: he sits watching the sun, and when it is between the horns of devil, he rises and strikes the ground four times (in haste) mentioning Allah a little during it.)* [End]

And whoever sleeps and misses a prayer or forgets it, let him pray if he remembers for there is no expiation for it except that.. The correct method is to pray it in order, if its time has passed with a (valid) excuse.

It has been reported in Sahih Muslim on the authority of Abu Qatada, may Allah be pleased with him, that the Prophet, peace and blessings be upon him, and those with him from among the Companions, when they were traveling on a journey and slept through the prayer time until they missed it, the Prophet (may Allah's peace and blessings be upon him) said: *'There is no negligence in sleeping. The (cognizable) negligence is upon the one who does not observe the prayer (intentionally) until the time of the next prayer comes. So the one who does this (leave a prayer on account of sleep) should observe the prayer when he becomes aware of it, and on the next day he should observe the prayer at its prescribed time..'* Hadith [End]

And in evidence of making up the missed prayers in order is the hadith in Sahih Bukhari, in which he said, (Mu'ādh bin Fadālah narrated to us, he said Hushām narrated to us, on the authority of Yahya, on the authority of Abi Salamah that Jabir bin Abdullah narrated, *"On the day of Al-Khandaq (the battle of trench.) Umar bin Al-Khattab came cursing the disbelievers of Quraish after the sun had set and said, "O Allah's Messenger (ﷺ) I could not offer the Asr prayer till the sun had set." The Prophet (ﷺ) said, "By Allah! I, too, have not prayed." So we turned towards Buthan, and the Prophet (ﷺ) performed ablution and we too performed ablution and offered the Asr prayer after the sun had set, and then he offered the Maghrib prayer.* [End]

والله أعلى وأعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

How do we respond to the one who says that you say Allah descends to the lowest heaven in the last third of the night, then this necessitates that he leaves/abandons the Arsh?

Response:

We respond by saying this is tashbeeh/making similarity of Allah to His creation, and (we seek refuge in Allah from this). It is the creation to whom this action is attributed, that is if they move from one place to another, then the first place becomes empty/free. What happens with the creation does not occur with Allah, {*There is nothing like Him, for He 'alone' is the All-Hearing, All-Seeing.*} Every night Allah عز وجل descends to the heavens/sky of this world, in a manner that suits His Majesty سبحانه وتعالى, and at the same time He is above His 'Arsh in a manner that suits His Majesty, an action unlike His creation. So whatever the creation goes through, it does not apply to Allah as He is not like His creation. (For example), with regards to the creation, if they move from place (X) to place (Y), then place X becomes empty, but this doesn't apply to Allah.

So the one who asks such a question, or such slander/innovation, he has in his head an image of Allah like the creation, (we see refuge in Allah from this). So it is said to him Allah is not like His creation.

والله أعلى وأعلم

(Transcript)

By Shaykh Abu Bara'a as-Sayf حفظه الله

Fatwa:

Question:

I have an enquiry regarding a woman who resides in dar al-kufr tari' who wants to marry a man who was part of an apostate group, but has repented and made barā from them, and has a sound aqeeda now. He is living like the general public, and even secretly helps the 'jamā'ah muslimmeen'.

What is the ruling of marrying such people?

Response:

If he was a Muslim before and repented from his kufr then it is permissible to marry them. If he repented from the kufr he was in, and is even helping the "jama'ah of the muslimmeen, then what is apparent is that he is upon goodness and it is permissible to marry him. Whoever's deen and manners are good, then that is what is sought. So it is permissible.

(Summarized Transcript)

By Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

There's a brother who used to send his children to secular schools which teach a kufri and nationalistic curricula, and when we explained to him, he stopped sending them. He is a refugee in this country. After a while, a case was raised against him by the Ministry of Education and now they want him to send his children to the schools by force, otherwise he may be imprisoned or he will lose custody of his children.

What should he do now? Should he migrate from the country or send his children, and is it considered ikrah/compulsion or not? If he sends them while knowing, does he fall into kufr?

Answer:

وعليكم السلام ورحمة الله وبركاته

If he is able to emigrate and leave that country then he should do so, and there is no disagreement in this as it is not permissible for him to send his children to learn in secular schools. If he is able to flee and leave the country and he does not do so, then he has no excuse of ikrah/compulsion in obeying them by sending his children to these schools.

As Allah عز وجل did not excuse some of the Muslims who were in Makkah when they left with the army of the mushrikeen to fight the Prophet ﷺ because they were compelled to do so, because they were capable of fleeing from the mushrikeen by making hijrah, but they did not migrate and failed in that, so they deserved the punishment and [being labelled with] kufr.

Allah the Most High said: {Indeed, those whom the angels take [in death] while wronging themselves - [the angels] will say, "In what [condition] were you?" They will say, "We were oppressed in the land." They [the angels] will say, "Was not the earth of Allāh spacious [enough] for you to emigrate therein?" For

those, their refuge is Hell - and evil it is as a destination.}

[Nisa: 97].

It has been narrated in Sahih al-Bukhari, he said: (Abdullah bin Yazeed Al-Muqri' narrated to us, Haywa narrated to us and others, they said Muhammad bin Abdur-Rahman Abu Al-Aswad narrated that the people of Medina were forced to prepare an army (to fight against the people of Sham during the caliphate of Abdullah bin Az-Zubair at Makkah), and I was enlisted in it. Then I met Ikrima, the freed slave of Ibn Abbas, and informed him (about it), and he forbade me strongly to do so (i.e. to enlist in that army), and then said, "Ibn `Abbas informed me that some Muslim people were with the mushrikin, increasing the number of the mushrikin against Allah's Messenger ﷺ. An arrow used to be shot which would hit one of them (the Muslims in the company of the mushrikin) and kill him, or he would be struck and killed (with a sword)." Then Allah revealed:-- "Verily! as for those whom the angels take (in death) while they are wronging themselves (by staying among the disbelievers)" (4.97) Abu al-Aswad also narrated it.

And if he's unable to flee from amongst them with his Deen, and he has the choice between sending his children to the school or his children being taken away from him, and he's unable to defend himself from that either by fleeing or by paying them to prevent their harm, and he has no choice but to send his children to the school or imprisonment and to lose custody of his children, then he may send his children and supervise their studies and refute and disapprove of every evil, falsehood and kufr they come across in what they study; *Laa hawla walā quwata illa billāllah*.

This is because losing his children and they being taken from him is from ikrah and is generally unbearable, and sending his children to these schools while supervising their studies and explaining the kufr and forbidden matters to them of what they study is less harmful and a lesser fitna upon the Deen of the children than to have them taken away from their father and handed over to the kuffar to be raised.

And the principle of Fiqh states: *(If two evils/corruptions conflict, the more harmful one is taken into account [to be avoided])*

And another principle of fiqh states, *(If two evils conflict, the most severe one is repelled by bearing the lesser [of the two evils].)*

والله أعلم

Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is it permissible to eat tinned/canned meat like fish and canned meat (e.g. mortadella), or noodles (indomie)?

What is the ruling on eating this type of food?

Answer:

وعليكم السلام ورحمة الله وبركاته

The fish and dead (animals) in the sea are all halal/permissible to eat..

Due to the statement of Allah: *{Lawful to you is game from the sea and its food as provision for you and the travelers, but forbidden to you is game from the land as long as you are in the state of iḥrām. And fear Allāh to whom you will be gathered.}* [Al- Ma'idah: 96]

Ibn katheer(may Allah have mercy on him) says regarding its tafseer, "*Ibn Abbas said in the well-known narration from him that {hunting} means what is fished/taken from it alive, and {its seafood} is the dead (sea creatures) which are cast ashore.*

The same has been reported from Abu Bakr Siddique and Zayd bin Thabit and Abdullah bin Amru and Abu Ayub Ansari (may Allah have mercy on him) and Abi Salamah bin Abdil-Rahman and Ibrahim an-Nakha'i and Hassan Basri.

As for noodles (known as indomie), what is apparent is that it is permissible, unless it is proven that there is a definite certain harm caused by the oil or fat that comes with it according to the view of trustworthy Muslim scholars and doctors, in which case, it would be forbidden to consume this oil or fat, then to eat it without this oil and fat would be permissible.

This is because of the statement of Allah, *{And do not kill ʿeach other orʿ yourselves. Surely Allah is ever Merciful to you.}* [Nisa: 29]

As for meat, there is a previous explanation from myself (the poor slave), which is the following:

The meat which it is permissible to eat like the meat of cattle and birds - with the exception of the dead meat from the sea [i.e. fish] - is not permissible to eat except under two conditions:

1/ It must be slaughtered, not killed using another method without slaughtering.

2/ The slaughterer must be a Muslim, Jew or Christian, and some scholars have quoted ijmaa' on the prohibition of eating what is slaughtered by a Majusi.

And the evidence for these two conditions is the statement of Allah: *{Prohibited to you are dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allāh, and [those animals] killed by strangling or by a violent blow or by a head-long fall or by the goring of horns, and those from which a wild animal has eaten, except what you [are able to] slaughter [before its death], and those which are sacrificed on stone altars, [i.e. in the name of anything other than Allāh].}* [Mai'dah 3]

So Allah Almighty excluded from all these types of meat only that which Muslims slaughter, by His statement, *{Except what you slaughtered..}*, meaning, what the Muslims slaughter.

This is evidence that it is permissible to eat what is slaughtered by a Muslim, and a Muslim is any individual who displays the Shahadatyn, or Salah, or attributes himself to Islam, or shows the distinctive signs of Muslims which are specific to them in a place, and it hasn't been proven that he has committed any of the nullifiers of Islam, which (if committed) must be proven by Shar'i evidence, which is either by the testimony of two trustworthy witnesses or his own acknowledgment of it. This individual is a Muslim mastoor al-hāl (i.e., one who has or wears signs of Islam.)

As for the evidence for the permissibility of eating what is slaughtered by the People of the Book, is the statement of Allah, *{This day the good and clean things are made lawful for you. And the food of those who have been given the Book is lawful for you and your food is lawful for them.}* [Mai'dah:5]

And it is not a condition for the meat slaughtered by the Muslim or the people of the Book to be considered halal, that the name of Allah be mentioned upon it - however, it is a condition though, that he doesn't mention another name other than the name of Allah when slaughtering it like the name of Jesus, the cross, etc.

And what proves that to utter the name of Allah is not a condition for the permissibility of eating the slaughtered meat is what has been mentioned in Sahih al-Bukhari from Ai'sha (may Allah be pleased with her), *"Some people said, "O Allah's Messenger (ﷺ)! Meat is brought to us by some people and we are not sure whether the name of Allah has been mentioned on it or not (at the time of slaughtering the animals)." Allah's Messenger (ﷺ) said (to them), "Mention the name of Allah upon it and eat it."*

And what indicates that the meaning of 'not eating the meat on which Allah's name is not mentioned', and rather, it's meaning is not to eat that (meat) upon which another name has been mentioned besides Allah's name, is by the collection of the evidence from the Quran (in support of each other)...

For Allah says, *{Prohibited to you are dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allāh, and [those animals] killed by strangling or by a violent blow.}* [Maidah:3]

And in another ayah, He said, *{Say, "I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a dead animal or blood spilled out or the flesh of swine – for indeed, it is impure – or it be [that slaughtered in] disobedience, dedicated to other than Allah.}* [Ana'am: 145]

And He says, *{Do not eat of what is not slaughtered in Allah's Name. For that would certainly be 'an act of' disobedience.}* [121Ana'am]

So the animal over which the name of Allah is not mentioned, which is fisq, is the same fisq which has been dedicated to someone other than Allah.

So the meat upon which Allah's name is not mentioned is the one dedicated to a name other than the name of Allah.

This is with regards to the rulings of meat in general.

With regards to meat in which the slaughtering of animals is mixed with killing it by electrocution, it is impermissible to buy it and eat it, like chicken meat, according to the principle of fiqh: (If the permissible and the prohibited (matter) combine, the prohibited (matter) takes precedence).

This principle is derived from the hadith in the Sunnah, as stated in the Sahihayn, narrated by Adi bin Hatim: *"I asked the Prophet (about the hunting dogs) and he replied, "If you let loose (with Allah's name) your tamed dog after a game, and it hunts it, you may eat it, but if the dog eats of (that game) then do not eat it because the dog has hunted it for itself."*
I further said, "Sometimes I send my dog for hunting and find another dog with it. He said, "Do not eat the game for you have mentioned Allah's name only on sending your dog and not the other dog."

So whoever appears to have attributed himself to Islam, or testifies to the Shahadatayn or prays, then eat from his sacrifice, unless you know with certainty that he committed a nullifier, and it has been proven to you.

والله اعلى واعلم

Abu Bara'a as-Sayf (may Allah hasten his release with honour.)

والحمد لله رب العالمين